

**Game: Deer: Unauthorized cervid parts, excretions, and carcass importation, movement, possession, and use.**

**Summary:**

The proposal is to (i) add “cleaned jaw bones” to the list of parts permitted to be imported and possessed, (ii) enable the department to allow transport of whole deer carcasses and all parts from one disease management area (DMA) to another, (iii) allow transport of whole deer carcasses and all carcass parts out of a DMA directly to an authorized location in a different state, (iv) and enable the department to restrict transport of whole deer carcasses and all parts between portions of a DMA

**Proposed language of amendment:**

**4VAC15-90-293. Unauthorized cervid parts, excretions, and carcass importation, movement, possession, and use.**

A. The following words or terms, when used in 4VAC15-40-285, this section, and 4VAC15-90-294, shall have the following meanings unless the context clearly indicates otherwise:

"Cervid" means any member of the deer family Cervidae, including white-tailed deer, fallow deer, sika deer, elk, and reindeer.

"Import" means to transport a carcass or carcass parts, other than those outlined in subsection B of this section, into the Commonwealth in such a manner that the carcass or carcass parts are removed from their place of storage within a vehicle or other conveyance and placed or deposited within the Commonwealth. Deer harvested on properties that span the Commonwealth's boundary with an adjoining state shall not be considered imported.

B. No person shall import or possess any carcass or part of a carcass of any member of the family Cervidae (deer) originating outside of the Commonwealth, except that the following carcass parts may be imported and possessed:

1. Boned-out meat;
2. Quarters or other portions of meat with no part of the spinal column or skull attached;
3. Hides or capes with no skull attached;
4. Clean (no meat or tissue attached) skulls or skull plates with or without antlers attached;
5. Clean (no meat or tissue attached) lower jaw bones;
- ~~56.~~ Antlers (with no meat or tissue attached);
- ~~67.~~ Upper canine teeth (buglers, whistlers, or ivories); and
- ~~78.~~ Finished taxidermy products.

A legible label shall be affixed to packages or containers containing the allowed carcass parts bearing the following information: the species of animal, the state or province from where the animal originated, and the name and address of the person who either killed or possesses the allowed parts in the Commonwealth.

C. Any person who imports into Virginia any deer carcass or parts described in subsection A of this section and is notified that the animal has tested positive for Chronic Wasting Disease must report the test results to the department within 72 hours of receiving the notification. In order to facilitate the proper

disposal of any infected material, the department may take into possession any imported carcass or carcass part of an animal if the animal has tested positive for Chronic Wasting Disease.

D. No person shall transport any carcass or part of a carcass of any cervid out of any area designated by the department as a disease management area, except: ~~that the~~

1. carcass parts enumerated in subsection B of this section, ~~may be transported, and~~
2. carcasses ~~or and~~ parts ~~may be~~ transported ~~directly to to other~~ locations ~~or areas within~~ the Commonwealth designated by the department ~~or to specified locations in other~~ states and provinces where it is legal to import such materials, provided that such carcasses or parts are transported without ~~unnecessary~~ delay and secured within a vehicle ~~or other conveyance~~ during transit.

Provided further that, except for carcass parts enumerated in subsection B of this section, no person shall transport any carcass or part of a carcass of any cervid between administrative units of a disease management area when prohibited by the department. Provisions of this section shall not apply to employees of the department or another government agency, or their designees, working in an official disease investigation or management capacity.

E. No person shall for the purposes of taking or attempting to take, attracting, or scouting any wild animal in Virginia possess or use any substance or material that contains or purports to contain any excretion collected from a cervid, including feces, urine, blood, gland oil, or other bodily fluid.

#### **Rationale:**

(i) Clean jaw bones represent a low risk of CWD transmission and are frequently saved by hunters to determine the age of their harvested deer.

(ii) As Chronic Wasting Disease continues to spread across the landscape, the number of disease management areas (DMAs) is expected to increase. Carcass transport is a recognized disease transmission risk and carcass transport restrictions represent a burden to some hunters. Each DMA presents a certain level of disease transmission risk. Transport of whole carcasses or carcass parts from a moderate-risk disease DMA to another moderate-risk DMA likely represents a high level of hunter satisfaction and a moderate level of disease transmission risk. However, transport of whole carcasses from a high-risk DMA to a lower risk DMA represents the same level of hunter satisfaction but carries a significantly higher level of disease transmission risk. In order to optimize hunter satisfaction and disease transmission risk, unique carcass transport restrictions based upon local disease transmission risk assessments are proposed.

(iii) Some states, such as Maryland, permit the importation of whole deer carcasses from areas known to be affected by chronic wasting disease. The movement of deer carcasses out of a DMA directly to an authorized out-of-state location represents a low CWD transmission risk to white-tailed deer populations in Virginia and facilitates regional cooperation between state agencies.

(iv) As Chronic Wasting Disease continues to spread across the landscape, the number of counties added to DMAs is expected to increase. As is the case with carcass transport between DMAs, it is proposed that carcass transport restrictions within DMAs also be based upon local risk assessments.